

# MEMORANDUM

**SUBJECT:** Community Care Policy Clarification CCAD 04003, CCAD/RC 04001, CBA AL/RC 04001; CWP AL/RC 04001

**TO:** Regional Administrators  
Regional Directors  
Long Term Care Services

**FROM:** Marilyn Eaton  
Director  
Long Term Care Services  
State Office W-511

**DATE:** April 27, 2004

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## **Policy Question 1:**

Can a facility require that a client, who uses a scooter in the facility, to obtain liability insurance?

## **Policy Clarification 1:**

Yes. The facility must inform the client of this requirement according to licensing standards. §92.41(d)(4).

## **Policy Question 2:**

Can a facility include an arbitration agreement in the admission agreement?

## **Policy Clarification 2:**

Yes. The facility must inform the client of this requirement according to licensing standards. §92.41(d)(4).

## **Policy Question 3:**

Assisted Living/Residential Care §46.41(b)(3)(B) states "The facility must make arrangements for other transportation for the client when a client's medical provider is not the nearest available provider." What is meant by "making arrangements"?

**Policy Clarification 3:**

The provider is required to make arrangements, on behalf of the client, which include:

- Contacting community resources to request transportation services for medical appointments and arrange client pick-up/drop off times; and
- Contacting relatives to notify them of the client's upcoming medical care appointments and arrange for client pick-up/drop off.

**Policy Question 4:**

Can a facility charge a client a fee when the client chooses to utilize their own pharmacy instead of the facility's designated pharmacy?

**Policy Clarification 4:**

Yes. The facility must inform the client of this requirement according to licensing requirements. §92.41(d)(4).

Please contact your contract manager should you have any questions regarding this information. Contract managers should contact Sarah Hambrick at (512) 438-2578 if they have questions regarding CCAD RC, Rudy Gomez at (512) 438-3740 if they have questions regarding CBA AL/RC and Karen Kroyer at (512) 438-3444 if they have questions regarding CWP AL/RC.

*Signature on file*

Marilyn Eaton

ME:ck

c: PMs  
SO STAFF